

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Billy Anthony Stephens

Docket No. 7:99-CR-70-1H

Petition for Action on Supervised Release

COMES NOW Robert K. Britt, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Billy Anthony Stephens, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute Cocaine Base in violation of 21 U.S.C. §846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on May 15, 2000, to the custody of the Bureau of Prisons for a term of 156 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On August 5, 2008, in an Order pursuant to 18 U.S.C. §3582(c)(2), the term of imprisonment was reduced to time served. Billy Anthony Stephens was released from custody on August 12, 2008, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 13, 2010, the defendant was charged in Robeson County with No Operators License/No Insurance (10CR7267) and Noise Ordinance Violation (10CR7211). The defendant admitted that he drove without a valid license on that date. This conduct is ongoing and Mr. Stephens has been instructed on several occasions not to drive until he is properly licensed. Mr. Stephens has already completed a 2-day jail sanction for this same type behavior in 2009. It is recommended that the defendant serve an additional two days in the custody of the Bureau of Prisons as a sanction for this violation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days as arranged by the probation office, and shall abide by all rules and regulations of the designated facility.

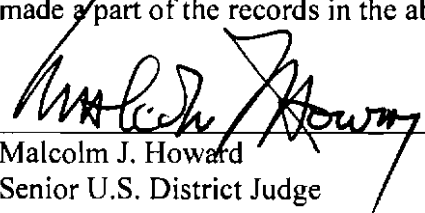
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: November 17, 2010

ORDER OF COURT

Considered and ordered this 18th day of November, 2010, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge